



Docket No.: C15043/91752CON1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continuing Application of :)	
)	
Paul N. HOLVOET and Désiré J. COLLEN)	Examiner: L. Cook
)	
Serial No.: 10/802,643)	Art Unit: 1641
)	
Filed: March 17, 2004)	
)	
For: ASSAYS, ANTIBODIES, AND)	
STANDARDS FOR DETECTION OF)	
OXIDIZED AND MDA-MODIFIED LOW)	
DENSITY LIPOPROTEIN)	

RESPONSE TO AUGUST 22, 2006 NON-FINAL OFFICE ACTION,
INCLUDING PETITION FOR ONE-MONTH EXTENSION OF TIME AND
AMENDMENT

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Receipt of the August 22, 2006 non-final Office Action, which allowed a three-month shortened statutory period for response, is acknowledged. Filing of this paper, which includes a petition for one-month extension of time (which makes the deadline December 22, 2006), is timely because it is being deposited with the United States Postal Service (with a Certificate Of Mailing) on or before December 22, 2006.

A check payable to the Director for the required fee for the one-month extension of time (\$120.00) is enclosed (37 C.F.R. § 1.17(a)(1)).

A Terminal Disclaimer and a check payable to the Director for the required fee for the Terminal Disclaimer (\$130.00) are enclosed (37 C.F.R. § 1.20(d)).

12/22/2006 CCHAU1 00000024 10802643

02 FC:1251

120.00 0P

RS 1350760

The claims are being amended and applicants believe that no additional fee is required for the amendment.

If any additional fee is required in connection with this or the accompanying papers (for the extension of time, for the terminal disclaimer, for any amendments, or for any other reason) and is not otherwise paid by check, please charge any such fee (or credit any overpayment) to Deposit Account No. 02-4467.

Reference will be made to a paper previously filed on June 5, 2006 (mailed May 30, 2006) by applicants, namely, Response To January 30, 2006 Non-Final Office Action, Including Petition For Extension Of Time And Amendment, and that paper is hereafter referred to as the "**June 5, 2006 Response.**"

Reference will also be made to the *Manual Of Patent Examining Procedure*, 8th Edition (August 2001), Revision 5 (August 2006), which is hereafter referred to as the "**MPEP.**"

The sections of this paper begin on the pages listed below.

Section	Page
Petition For One-Month Extension Of Time	4
Amendment	5
• Amendment Of The Claims	6
Remarks	8
• Overview	8
• The Invention	8
• The New Claims	8
• The Art Relied On By The Examiner Discussed In This Response	9
○ Liu	9
○ Haberland	9

○ Palinksi	9
○ Winzor	9
○ Kotani	10
○ Kondo (EP 0 484 863 A1)	10
• Office Action, ¶¶ 3, 4, and 5 – formal matters	10
• Office Action, ¶ 6 – objection – updating to reflect issuance of patent	10
• Office Action, ¶ 7 – objection – wording in claims 56-60	11
• Office Action, ¶ 8A – rejection – claim 73 – § 112 – alleged indefiniteness	11
• Office Action, ¶ 8B – rejection – claim 56 – § 112 – alleged vagueness and indefiniteness	14
• Office Action, ¶¶ 9, 10, and 11 – rejection – claims 56-74 – § 112 – alleged lack of written description and enablement	17
• Office Action, ¶¶ 12, 13, and 14 – rejection – claims 56-74 – alleged non-statutory double patenting based on US 6,309,888 in view of Liu and Haberland	18
• Office Action, ¶ 15(I) – rejection – claims 56, 61-71, and 73 – § 102(a) – alleged anticipated based on Palinski and Winzor	19
• Office Action, ¶ 15(II) – rejection – claims 56, 61-65, 67-71, and 73 – § 102(b) – alleged anticipation based on Kotani and Winzor	23
• Office Action, ¶ 16(III) – rejection – claims 57-60 – § 103(a) – alleged obviousness based on Palinksi, Winzor, and Haberland	24
• Office Action, ¶ 16(IV) – rejection – claim 74 – § 103(a) – alleged obviousness based on Palinksi, Winzor, and Kondo	25
• Office Action, ¶ 16(V) – rejection – claims 57-60 – § 103(a) – alleged obviousness based on Kotani, Winzor, and Haberland	26
• Office Action, ¶ 16(VI) – rejection – claim 74 – § 103(a) – alleged obviousness based on Kotani, Winzor, and Kondo	26
Conclusion	27

PETITION FOR ONE-MONTH EXTENSION OF TIME

Applicants hereby request a one-month extension of time to respond to the August 22, 2006 Office Action, which set a three-month shortened statutory deadline for response. With the granting of that request, the deadline for response becomes December 22, 2006. A check for \$120.00 payable to the Director for the extension fee is enclosed.

AMENDMENT

Please amend the application as follows. All of the requested amendments are fully supported by the application as filed.